

Minutes of Proceedings

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
Date: **February 10, 2021**
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In re: Chapter 7

Orly Genger,

Case No. 19-13895-JLG

Debtor.

-----X

Present: Hon. James L. Garrity, Jr., United States Bankruptcy Judge

Appearances: Thomas A. Pitta, Esq., Counsel to Sagi Genger
Rocco A. Cavaliere, Esq., Counsel to the Chapter 7 Trustee

Proceedings: Motion to Compel regarding the Common Interest Privilege
[ECF No. 293]

Motion for Order Confirming That Automatic Stay Does Not Limit
Ability of New York State Court to Exonerate Undertaking for TRO
[ECF No. 322] ("Motion to Confirm Absence of Stay")

Order: A hearing on the Motion to Compel is scheduled for **Thursday, February 18, 2021 at 4 p.m. (ET)** for the Court to render its decision.

The Motion to Confirm Absence of Stay is scheduled for hearing on
February 25, 2021 at 3 p.m. (ET).

The deadline to file a Response to the Motion to Confirm Absence of Stay
is **February 18, 2021 at 2 p.m. (ET)**. Replies, if any, shall be filed by
February 22, 2021 at 2 p.m. (ET). (Counsel is reminded to submit two
single-sided courtesy copies to Chambers).

BY THE COURT.

February 14, 2021
New York, New York

/s/ James L. Garrity, Jr.
Honorable James L. Garrity, Jr.
United States Bankruptcy Judge

In re:
Orly Genger
Debtor

Case No. 19-13895-jlg
Chapter 7

CERTIFICATE OF NOTICE

District/off: 0208-1
Date Rcvd: Feb 16, 2021

User:
Form ID: pdf001

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Total Noticed: 47

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Feb 18, 2021:

Recip ID	Recipient Name and Address
db	+ Orly Genger, 210 Lavaca St., Unit 1903, Austin, TX 78701-4582
aty	+ Brian Talbot Cummings, Graves Dougherty Hearon & Moody, PC, 401 Congress Ave, Suite 2700, Austin, TX 78701-3736
aty	+ Constantine Dean Pamphilis, Kasowitz Benson Torres LLP, 1415 Louisiana Street, Suite 2100, Houston, TX 77002-7344
aty	+ Danielle Nicole Rushing, Dykema Gossett, PLLC, 112 E Pecan St, Suite 1800, San Antonio, TX 78205-1521
aty	+ Graves Dougherty Hearon & Moody P.C., 401 Congress Ave, Suite 2700, Austin, TX 78701-3736
aty	+ Michael Bowen, Kasowitz Benson Torres LLP, 1633 Broadway, New York, NY 10019-6708
aty	+ Michael Paul Bowen, Kasowitz Benson Torres LLP, 1633 Broadway, New York, NY 10019-6708
aty	+ Raymond W. Battaglia, Oppenheimer, Blend, Harrison & Tate, Inc, 711 Navaro, Sixth Floor, San Antonio, TX 78205
aty	+ Ryan Brent DeLaune, CLARK HILL STRASBURGER, 901 Main St #6000, Dallas, TX 75202-3748
aty	+ Shelby A. Jordan, Jordan Hyden Womble Culbreth & Holze, PC, 500 N Shoreline Suite 900 N, Corpus Christi, TX 78401-0341
intp	+ D&K GP LLC, c/o Jordan Holzer & Ortiz, PC, 500 N. Shoreline Blvd., Suite 900, Corpus Christi, TX 78401-0341
intp	+ Dalia Genger, c/o Jordan, Holzer & Ortiz, 500 N SHORELINE BLVD, STE 900, CORPUS CHRISTI, TX 784010341
cr	+ SureTec Insurance Company, 5555 Garden Grove Boulevard, Suite 275, Westminster, CA 92683-8229
cr	+ TPR Investment Associates, Inc., c/o Streusand Landon Ozburn & Lemmon, 1801 S. MoPac Expressway, Suite 320, Austin, TX 78746
7652403	+ ADBG LLC, c/o Hughes Hubbard & Reed LLP, Attn. Chr, One Battery Park Plaza, New York, NY 10004-1405
7652391	+ Arie Genger, 19111 Collins Ave., Apt. 706, Sunny Isles, FL 33160-2379
7671181	+ CULLEN & DYKMAN LLP, Counsel for Michael Oldner, 100 Quentin Roosevelt Boulevard, Garden City, NY 11530-4850
7652408	+ D&K GP LLC, Law Office of Ira Daniel Tokayer, Esq., 420 Lexington Avenue, Suite 2400, New York, NY 10170-2499
7652407	+ Dalia Genger, Law Office of Ira Daniel Tokayer, Esq., 420 Lexington Avenue, Suite 2400, New York, NY 10170-2499
7668638	+ Elizabeth M. Aboulafia, Esq., Cullen and Dykman, LLP, 100 Quentin Roosevelt Boulevard, Garden City, New York 11530, Telephone: (516) 357-3700 Email:eaboulafia@cullenllp.com 11530-4850
7652396	+ Emmt Marvin & Martin LLP, 120 Broadway 32nd Fl, New York NY 10271-3291
7652397	+ Eric Herschmann, c/o Raymond Battaglia, 66 Granburg Circle, San Antonio TX 78218-3010
7652392	+ Eric Herschmann, 210 Lavaca St., Unit 1903, Austin, TX 78701-4582
7706824	+ Foley & Lardner LLP, Attorneys for Dalia Genger, 90 Park Avenue, New York, NY 10016-1301
7652404	+ Genger Litigation Trust, Genger Litigation Trust, Attn. David Bro, 104 West 40th Street, 19th Floor, New York, NY 10018-3628
7653363	+ Hughes Hubbard & Reed LLP, Attorneys for ADBG LLC, One Battery Park Plaza, New York, NY 10004-1482
7654166	+ Ira Daniel Tokayer, Esq., 420 Lexington Avenue, Suite 2400, New York NY 10170-2499
7663045	+ Kasowitz Benson Torres LLP, Attn: Matthew B. Stein, 1633 Broadway, Floor 21, New York, NY 10019-6708
7652401	+ Kasowitz, Benson, Torres LLP, c/o Daniel Benson Esq, 1633 Broadway 21st Fl, New York NY 10019-6708
7652406	+ Orly Genger, Law Office of Ira Daniel Tokayer, Esq., 420 Lexington Avenue, Suite 2400, New York, NY 10170-2499
7652405	+ Orly Genger, Law Office of Ira Daniel Tokayer, Esq., 420 Lexington Avenue, Suite 4200, New York, NY 10170-2499
7663044	+ Orly Genger 1993 Trust., Michael Oldner, Trustee, Pollock Cohen LLP, 60 Broad St., 24th Fl., New York, NY 10004-2342
7736210	+ Paul J. Labov, Esq., PACHULSKI STANG ZIEHL & JONES LLP, 780 Third Avenue, 34th Floor, New York, New York 10017-2024
7654822	+ Pollock Cohen LLP, Attorneys for The Orly Genger 1993 Trust, 60 Broad St., 24th Fl., New York, NY 10004-2342
7664810	+ REITLER KAILAS & ROSENBLATT LLC, Attorneys for Orly Genger, 885 Third Avenue, 20th Floor, New York, New York 10022, (10022-4834
7663048	+ Sagi Genger, c/o Thomas A. Pitta, Emmt Marvin & Martin LLP, 120 Broadway 32nd Fl, New York, NY 10271-3291
7652402	+ SureTec Insurance Co, c/o Clark Hill Strasburger, 901 Main St #6000, Dallas TX 75202-3748
7691733	+ SureTec Insurance Company, Clark Hill, Attn: Ryan B. DeLaune, 901 Main St Ste 6000, Dallas, TX 75202-3748
7652400	+ The Orly Genger 1993 Trust, c/o Jay H Ong, Munsch Hardt Kopf & Harr PC, 303 Colorado St #2600, Austin TX 78701-0021
7693338	+ The Orly Genger 1993 Trust, Michael Oldner, Trustee, c/o Pollock Cohen LLP, 60 Broad St., 24th Fl., New York, NY 10004-2342
7652984	+ Togut, Segal & Segal LLP, Co-Counsel to Arie Genger, One Penn Plaza, Suite 3335, New York, New York 10119-3335
7652395	+ Zeichner Ellman & Krause LLP, 1211 Avenue of the Americas, 40th Floor, New York, NY 10036-6149

TOTAL: 42

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern

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User:

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Date Rcvd: Feb 16, 2021

Form ID: pdf001

Total Noticed: 47

Standard Time.

Recip ID	Notice Type: Email Address	Date/Time	Recipient Name and Address
7652398	+ Email/Text: dwilliamson@coxsmith.com	Feb 16 2021 19:44:00	Arie Genger, c/o Deborah D. Williamson, Dykema Gossett PLLC, 112 East Pecan St #1800, San Antonio, TX 78205-1521
7658470	+ Email/Text: pdelrio@emmetmarvin.com	Feb 16 2021 19:44:00	EMMET, MARVIN & MARTIN, LLP, 120 Broadway, 32nd Floor, New York, New York 10271-3291
7652393	Email/Text: sbse.cio.bnc.mail@irs.gov	Feb 16 2021 19:44:00	Internal Revenue Service, P.O. Box 21126, Philadelphia, PA 19114
7663031	+ Email/Text: pdelrio@emmetmarvin.com	Feb 16 2021 19:44:00	TPR Investment Associates, Inc., C/O Emmet Marvin & Marvin LLP, 120 Broadway, New York, NY 10271-0002
7652394	+ Email/Text: ustpreion07.au.ecf@usdoj.gov	Feb 16 2021 19:44:00	United States Trustee, 903 San Jacinto, Ste. 230, Austin, TX 78701-2450

TOTAL: 5

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

Recip ID	Bypass Reason	Name and Address
aty		Michael Bowen
cr		ADBG LLC
cr		Arie Genger
cr		Eric Herschmann
intp		Kasowitz Benson Torres LLP
cr		Kasowitz Benson Torres LLP
cr		Sagi Genger
intp		The Orly Genger 1993 Trust
unk		Zeichner Ellman & Krause LLP
7653365		ADBG LLC

TOTAL: 10 Undeliverable, 0 Duplicate, 0 Out of date forwarding address

NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Feb 18, 2021

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on February 14, 2021 at the address(es) listed below:

Name	Email Address
Aaron Michael Kaufman	on behalf of Creditor Arie Genger akaufman@grayreed.com pelliott@dykema.com
Adam Pollock	on behalf of Plaintiff Orly Genger 1993 Trust adam@pollockcohen.com

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Adam Pollock
on behalf of Defendant Orly Genger 1993 Trust adam@pollockcohen.com

Adam Pollock
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Adam Pollock
on behalf of Interested Party The Orly Genger 1993 Trust adam@pollockcohen.com

Beth Claire Khinchuk
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Beth Claire Khinchuk
on behalf of Defendant Sagi Genger bkhinchuk@emmetmarvin.com

Beth Claire Khinchuk
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Beth Claire Khinchuk
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Elizabeth Aboulafia
on behalf of Interested Party The Orly Genger 1993 Trust eaboulafia@cullenanddykman.com

Eric Daniel Herschmann
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User:

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Thomas A. Pitta

on behalf of Plaintiff Sagi Genger tpitta@emmetmarvin.com pdelrio@emmetmarvin.com

United States Trustee

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Yann Geron

on behalf of Debtor Orly Genger ygeron@reitlerlaw.com
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TOTAL: 55